IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
WRIT PETITION NO.1355 OF 1993

The Deputy Director of
Horticulture State Level .... Petitioner
Vs.
Shri Ratna s/o Devji Bhurkud
& Anr. .... Respondents

Shri S.A. Sawant for the Respondent No.1.

CORAM: R.M.S. KHANDEPARKAR, J.

DATED: DECEMBER 13, 2006

P.C:

Learned Advocate Shri S.A. Sawant states that he appears for the widow of the respondent No.1 as the respondent No.1 expired on 27-7-2001. In fact, the records disclose that on 22-9-2006 Advocate Shri Rahul Oak, who was present in the Court on that day, had informed that Advocate Shri M.L. Pendse, appearing for the respondent No.1, has expired. Learned AGP Shri S.K. Chinchalikar was present on the said occasion in the Court. As per the request of the petitioner, notice was issued to the respondent No.1 making it returnable on 8-11-2006. Accordingly, notice was issued but the same has not been returned till date, either served or unserved. However, the fact that the respondent No.1 has expired on 27-7-2001 is being confirmed on behalf of the widow of the respondent No.1, and in the absence of

his legal representatives being brought on record within the period of limitation and the respondent No.2 being a formal party, the petition stands abated.

(R.M.S. Khandeparkar, J.)

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